

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By **CHAIRMAN LOREN SOFT**, on February 15, 1999 at 3:00 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Loren Soft, Chairman (R)
Rep. Roy Brown, Vice Chairman (R)
Rep. Carolyn Squires, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Edith Clark (R)
Rep. Bob Davies (R)
Rep. Tom Dell (D)
Rep. Mary Anne Guggenheim (D)
Rep. Chase Hibbard (R)
Rep. Verdell Jackson (R)
Rep. Billie Krenzler (D)
Rep. Ralph Lenhart (D)
Rep. Brad Molnar (R)
Rep. Trudi Schmidt (D)
Rep. Jim Shockley (R)
Rep. Bruce Simon (R)
Rep. Bill Thomas (R)
Rep. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Cassandra Drynan, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HJ 22, HB 551, HB 583, HB 600,
HB 563

Executive Action: HB 563 DO PASS AS AMEND 11-7
HB 551 DO PASS AS AMEND 18-0
HJ 22 DO PASS 16-2
HB 583 DO PASS 13-5

HEARING ON HOUSE BILL 551

Opening Statement by Sponsor: REP. JOHN COBB introduced the bill and distributed **EXHIBIT**(huh37a01), information on tribal TNAF programs.

{Tape : 1; Side : A; Approx. Time Counter : 0.6 - 9.1}

Proponents' Testimony:

Mr. Jon Meredith, Department of Public Health and Human Services.
{Tape : 1; Side : A; Approx. Time Counter : 9.1 - 12.2}

Ms. Sharon Hoff, Montana Catholic Alliance.
{Tape : 1; Side : A; Approx. Time Counter : 12.2 - 12.6}

Ms. Kate Cholewa, Montana Women's Lobby.
{Tape : 1; Side : A; Approx. Time Counter : 12.6 - 13.1}

Opponents' Testimony: None.

Questions from Committee Members and Responses:
{Tape : 1; Side : A; Approx. Time Counter : 13.1 - 19.8}

Closing by Sponsor: REP. COBB distributed **EXHIBIT**(huh37a02), amendments to HB 551, and closed.
{Tape : 1; Side : A; Approx. Time Counter : 19.8 - 20.4}

HEARING ON HOUSE JOINT RESOLUTION

Opening Statement by Sponsor: REP. MASOLO introduced the bill.
{Tape : 1; Side : A; Approx. Time Counter : 20.4 - 21.9}

Proponents' Testimony: Mr. Bob Olsen, Health Care Provider, MHA, distributed **EXHIBIT**(huh37a03).
{Tape : 1; Side : A; Approx. Time Counter : 21.9 - 27.9}

Opponents' Testimony: None.

Questions from Committee Members and Responses:
{Tape : 1; Side : A; Approx. Time Counter : 28.1 - 32}

Closing by Sponsor: REP. MASOLO closed.
{Tape : 1; Side : B; Approx. Time Counter : 0 - 3.3}

HEARING ON HOUSE BILL 600

Opening Statement by Sponsor: REP. GUTSCHE introduced the bill.
{Tape : 1; Side : B; Approx. Time Counter : 3.3 - 6.1}

Proponents' Testimony:

Ms. Laura Ferguson, self, **EXHIBIT**(huh37a04).
{Tape : 1; Side : B; Approx. Time Counter : 6.1 - 8.4}

Mr. Bryony Schwan, Women's Voices for the Earth.
{Tape : 1; Side : B; Approx. Time Counter : 8.4 - 12.7}

Mr. Jeff Barber, Montana Environmental Informational Center.
{Tape : 1; Side : B; Approx. Time Counter : 12.7 - 15.5}

Ms. Clair Emery, self.
{Tape : 1; Side : B; Approx. Time Counter : 15.5 - 18.5}

Ms. Sami Butler, Montana Nurses Association.
{Tape : 1; Side : B; Approx. Time Counter : 18.5 - 19.2}

Mr. Tony Tweedale, self, **EXHIBIT**(huh37a05) and **EXHIBIT**(huh37a06).
{Tape : 1; Side : B; Approx. Time Counter : 19.2 - 24.5}

Ms. Allison Voss, self.
{Tape : 1; Side : B; Approx. Time Counter : 24.5 - 25.6}

Ms. Sharon Hoff, Montana Catholic Conference, **EXHIBIT**(huh37a07).
{Tape : 1; Side : B; Approx. Time Counter : 25.6 - 26.8}

Ms. Kate Cholewa, Women's Lobby.
{Tape : 1; Side : B; Approx. Time Counter : 26.8 - 27.3}

Opponents' Testimony: Ms. Mary Allen, Western Environmental Association.
{Tape : 1; Side : B; Approx. Time Counter : 27.3 - 30.4}

Informational Testimony:

Ms. Jan Sensibaugh, Department of Environmental Quality.
{Tape : 1; Side : B; Approx. Time Counter : 30.4 - 2:A:1.7}

REP. GUGGENHEIM, Pediatric Neurologist.

{Tape : 2; Side : A; Approx. Time Counter : 1.7 - 8.4}

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 8.5 - 23.5}

Closing by Sponsor: REP. GUTSCHE closed.

HEARING ON HOUSE BILL 563

Opening Statement by Sponsor: REP. KIM GILLAN introduced the bill.

{Tape : 2; Side : A; Approx. Time Counter : 23.5 - 25.9}

Proponents' Testimony:

Dr. Oliver Cooperman, Physician and Psychiatrist, distributed **EXHIBIT** (huh37a08) **EXHIBIT** (huh37a09) **EXHIBIT** (huh37a10) **EXHIBIT** (huh37a11), a fact sheet and letters of support.

{Tape : 2; Side : A; Approx. Time Counter : 25.9 - 2:8}

Dr. David Healow, Physician in Billings.

{Tape : 2; Side : B; Approx. Time Counter : 8 - 9.6}

Dr. John Valen, Psychiatrist.

{Tape : 2; Side : B; Approx. Time Counter : 9.6 - 12}

Mr. Jerry Lendorf, Montana Medical Association.

{Tape : 2; Side : B; Approx. Time Counter : 12 - 16.5}

Opponents' Testimony:

Jean Logan, President of the Montana Acupuncture Association, distributed **EXHIBIT** (huh37a12) and read **EXHIBIT** (huh37a13) letter of opposition from Sara Maire, member of MAAOM.

{Tape : 2; Side : B; Approx. Time Counter : 16.5 - 22.8}

Mr. Donald Beans, Billings Physician.

{Tape : 2; Side : B; Approx. Time Counter : 22.8 - 27.3}

Ms. Laurel Colpitts, Missoula Acupuncturist distributed letters of opposition, **EXHIBIT** (huh37a14) and **EXHIBIT** (huh37a15).

{Tape : 2; Side : B; Approx. Time Counter : 27.3 - 3:A:1.7}

Mr. Dwayne Borgstrand, Acupuncturist, **EXHIBIT** (huh37a16).

{Tape : 3; Side : A; Approx. Time Counter : 1.7 - 3.7}

Ms. Susannah Freeman-White, Acupuncturist, distributed **EXHIBIT**(huh37a17), a letter of opposition and fact sheet from Mr. Ron Davis.

{Tape : 3; Side : A; Approx. Time Counter : 3.7 - 5.3}

Ms. Linda Kremer, Acupuncturist.

{Tape : 3; Side : A; Approx. Time Counter : 5.3 - 6}

Mr. Steve Martinez, Kalispell Acupuncturist.

{Tape : 3; Side : A; Approx. Time Counter : 6 - 6.4}

Ms. Susanna Lewis, Helena Acupuncturist.

Mr. Guy Bodfish, Acupuncturist.

Mr. Montey Garnet, Acupuncturist.

Ms. Tanya Brekky, Acupuncturist.

Mr. Dallas Seaber, Acupuncturist.

{Tape : 3; Side : A; Approx. Time Counter : 6.4 - 8.5}

Questions from Committee Members and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 8.5 - 3:B:7.0}

Closing by Sponsor: REP. GILLAN closed.

{Tape : 3; Side : B; Approx. Time Counter : 7 - 10}

HEARING ON HOUSE BILL 583

Opening Statement by Sponsor: REP. THOMAS introduced the bill.

Proponents' Testimony:

Mr. Ray Mohny, American Red Cross, distributed

EXHIBIT(huh37a18).

{Tape : 3; Side : B; Approx. Time Counter : 14.4 - 18.6}

Ms. Alice Klundt, American Red Cross.

{Tape : 3; Side : B; Approx. Time Counter : 18.6 - 23.6}

Mr. Bill Chigbrow, American Red Cross.

{Tape : 3; Side : B; Approx. Time Counter : 23.6 - 26.8}

Mr. Greg Vanhorssen, American Red Cross, distributed

EXHIBIT(huh37a19), a letter of support from Ms. Lonie Stimac.

{Tape : 3; Side : B; Approx. Time Counter : 26.8 - 30.6}

Mr. Horrace Snider, Montana Public Employees Association.

{Tape : 3; Side : B; Approx. Time Counter : 30.6 - 4:A:1.6}

Opponents' Testimony:

Mr. John McEwen, Department of Administration, distributed **EXHIBIT** (huh37a20), a letter from Governor Marc Racicot.
{Tape : 4; Side : A; Approx. Time Counter : 1.6 - 3.2}

Informational Testimony:

Mr. Jim Barfknecht, American Red Cross.
{Tape : 4; Side : A; Approx. Time Counter : 3.2 - 4.1}

Questions from Committee Members and Responses:

{Tape : 4; Side : A; Approx. Time Counter : 4.1 - 20}

Closing by Sponsor: REP. THOMAS closed.

{Tape : 4; Side : A; Approx. Time Counter : 20 - 24.7}

EXECUTIVE ACTION ON HOUSE BILL 452

Motion: REP. WILLIAMS moved that HB 452 DO PASS.
{Tape : 4; Side : A; Approx. Time Counter : 25.7 - 26.2}

Discussion: Concerning the ability of this type of study to produce any credible results.
{Tape : 4; Side : A; Approx. Time Counter : 26.2 - 29.8}

Substitute Motion/Vote: REP. SIMON made a substitute motion that HB 452 BE TABLED. Substitute motion carried 15-3 with Dell, Squires, and Williams voting no.
{Tape : 4; Side : A; Approx. Time Counter : 29.8 - 31}

EXECUTIVE ACTION ON HOUSE BILL 415

Motion: REP. JACKSON moved that HB 415 DO PASS.

Motion: REP. JACKSON moved that HB 415 BE AMENDED, see **EXHIBIT** (huh37a21)
{Tape : 4; Side : B; Approx. Time Counter : 0 - 1.8}

Discussion: Concerning the amendments to the bill.
{Tape : 4; Side : B; Approx. Time Counter : 1.8 - 5.2}

Vote: The question was called for on REP. JACKSON'S motion to AMEND HB 415. Motion failed 9-9 with Williams, Schmidt, Ahner, Soft, Davies, Lenhart, Simon, Hibbard and Guggenheim voting no.
{Tape : 4; Side : B; Approx. Time Counter : 5.2 - 6.6}

Substitute Motion/Vote: REP. SQUIRES moved that HB 415 BE TABLED. Motion carried 11-7 with Brown, Clark, Davies, Jackson, Molnar, Shockley, and Thomas voting no.
{Tape : 4; Side : B; Approx. Time Counter : 6.6 - 8.4}

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 22

Motion: REP. SHOCKLEY moved that HJ 22 DO PASS.
{Tape : 4; Side : B; Approx. Time Counter : 8.4 - 9.4}

Discussion: Concerning the need for the bill.
{Tape : 4; Side : B; Approx. Time Counter : 9.4 - 14.5}

Vote: The question was called on REP. SHOCKLEY'S motion that HJ 22 DO PASS. Motion carried 16-2 with Squires and Molnar voting no.
{Tape : 4; Side : B; Approx. Time Counter : 14.5 - 15.4}

EXECUTIVE ACTION ON HOUSE BILL 583

Motion: REP. THOMAS moved that HB 583 DO PASS.

Motion: REP. SIMON moved that HB 583 BE AMENDED, see tape log.
{Tape : 4; Side : B; Approx. Time Counter : 15.4 - 16.9}

Discussion: Concerning the proposed amendments to HB 583.
{Tape : 4; Side : B; Approx. Time Counter : 16.9 - 25.1}

Vote: The question was called on REP. SIMON'S motion to AMEND HB 583. Motion failed 15-3 with Shockley, Simon and Krenzler voting aye.
{Tape : 4; Side : B; Approx. Time Counter : 25.1 - 26}

Discussion: Concerning the bill.
{Tape : 4; Side : B; Approx. Time Counter : 26 - 28.3}

Vote: The question was called on REP. THOMAS'S motion that HB 583 DO PASS. Motion carried 13-5 with Shockley, Lenhart, Davies, Krenzler and Brown voting no.
{Tape : 4; Side : B; Approx. Time Counter : 28.3 - 29.6}

EXECUTIVE ACTION ON HOUSE BILL 551

Motion: REP. SIMON moved that HB 551 DO PASS.

Motion: REP. SIMON moved that HB 551 BE AMENDED.
{Tape : 4; Side : B; Approx. Time Counter : 29.6 - 5:A:0.3}

Discussion: Concerning the amendments.

Vote: The question was called for on REP. SIMON'S motion that HB 551 BE AMENDED. Motion carried unanimously.

Vote: The question was called for on REP. SIMON'S motion that HB 551 DO PASS. Motion carried unanimously.
{Tape : 5; Side : A; Approx. Time Counter : 0.3 - 2.4}

Discussion: It was decided that executive action on HB 600 would be postponed until 2-17-99.
{Tape : 5; Side : A; Approx. Time Counter : 2.4 - 3.3}

EXECUTIVE ACTION ON HOUSE BILL 563

Motion: REP. KRENZLER moved that HB 563 DO PASS.

Motion: REP. SIMON moved that HB 563 BE AMENDED.
{Tape : 5; Side : A; Approx. Time Counter : 3.3 - 7}

Discussion: Concerning the amendment, see tape log.
{Tape : 5; Side : A; Approx. Time Counter : 7 - 13.4}

REP. SIMON withdrew his motion to amend HB 563.
{Tape : 5; Side : A; Approx. Time Counter : 13.4 - 13.7}

Discussion: Concerning the bill.
{Tape : 5; Side : A; Approx. Time Counter : 13.7 - 24}

Motion: REP. MOLNAR moved that HB 563 BE AMENDED, see tape log.
{Tape : 5; Side : A; Approx. Time Counter : 24 - 30.4}

Discussion: concerning the amendment.
{Tape : 5; Side : A; Approx. Time Counter : 30.4 - 5:B:5.9}

Vote: The question was called for on REP. MOLNAR'S motion that HB 563 BE AMENDED. Motion carried 15-3 with Jackson, Shockley and Thomas voting no.

{Tape : 5; Side : B; Approx. Time Counter : 5.9 - 6.8}

Discussion: Concerning the amendment and the bill.

{Tape : 5; Side : B; Approx. Time Counter : 6.8 - 9.4}

Motion: REP. MOLNAR moved that HB 563 DO PASS AS AMENDED.

Discussion: Concerning the bill.

{Tape : 5; Side : B; Approx. Time Counter : 9.4 - 11.5}

Vote: The question was called for on REP. MOLNAR'S motion that HB 563 DO PASS AS AMENDED. Motion carried 11-7 with Squires, Ahner, Davies, Hibbard, Shockley, Thomas and Williams voting no.

{Tape : 5; Side : B; Approx. Time Counter : 11.5 - 15}

EXECUTIVE ACTION ON HOUSE BILL 462

Motion: REP. SCHMIDT moved that HB 462 DO PASS.

Motion: REP. SCHMIDT moved that HB 462 BE AMENDED, see and **EXHIBIT** (huh37a22) and **EXHIBIT** (huh37a23).

{Tape : 5; Side : B; Approx. Time Counter : 15.5 - 16.3}

Discussion: Concerning the amendments.

{Tape : 5; Side : B; Approx. Time Counter : 16.3 - 21.3}

Vote: The question was called for on REP SCHMIDT'S motion that HB 462 BE AMENDED. Motion carried unanimously.

{Tape : 5; Side : B; Approx. Time Counter : 21.3 - 21.6}

Motion: REP. SQUIRES moved that HB 462 DO PASS AS AMENDED.

{Tape : 5; Side : B; Approx. Time Counter : 21.6 - 22}

Discussion: Concerning the bill.

{Tape : 5; Side : B; Approx. Time Counter : 22 - 6:A:1.6}

Motion/Vote: REP. SHOCKLEY moved that HB 462 BE TABLED. Motion carried 10-8 with Clark, Dell, Guggenheim, Lenhart, Schmidt, Soft, Squires, and Williams voting no.

{Tape : 6; Side : A; Approx. Time Counter : 1.6 - 2}

ADJOURNMENT

Adjournment: 8:30 P.M.

REP. LOREN SOFT, Chairman

CASSANDRA DRYNAN, Secretary

LS/JR

EXHIBIT (huh37aad)